

LOUISIANA ADMINISTRATIVE CODE

TITLE 7

PART XIII. SEEDS

SUBCHAPTER A. RULES AND REGULATIONS

FOR THE ENFORCEMENT OF THE

LOUISIANA SEED LAW

Louisiana Administrative Code (Rules and Regulations)

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Title 7

AGRICULTURE AND ANIMALS

Part XIII. Seeds

Chapter 87. Rules and Regulations Pursuant to the Louisiana Seed Law

Subchapter A. Rules and Regulations for the Enforcement of the Louisiana Seed Law

§101. Definitions

A. The following terms are defined in addition to those in the Act:

Declaration- means a written statement of a grower, shipper, processor, dealer, or importer, given for any lot of seed the kind, variety, type, origin, or the use for which the seed is intended.

Hybrid seed corn – as applied to field corn, sweet corn, or popcorn means the first generation seed of a cross produced by controlling the pollination, and by combining two, three, or four inbred lines, or by combining one inbred or a single cross with an open pollinated variety. Hybrid designations shall be treated as variety names.

Processing – means cleaning, scarifying or blending to obtain uniform quality and other operations which would change the purity or germination of the seed and, therefore require retesting to determine the quality of the seed, but does not include operations such as packaging, labeling, blending together of uniform lots of the same kind or variety without cleaning, any of which would not require retesting to determine the quality of the seed.

Prohibited noxious weed seed – means the seeds of perennial weeds such as not only reproduce seed, but also spread underground roots or stems, and which, when established, are highly destructive and difficult to control in the state by ordinary good cultural practices.

Restricted noxious weed seed – means seeds of such weeds as are very objectionable in fields, lawns or gardens of this state, but can be controlled by good cultural practices.

Seed gathered in elevators – means seed gathered in elevators or other establishments to be sold for planting purposes by farmers or others that are subject to the provisions of the law.

Treated – means given an application of a substance or subjected to a process designed to reduce, control or repel disease organisms, insects or other pests which attack seeds or seedlings growing therefrom.

AUTHORITY NOTE: Promulgated in accordance with R.S. 3:1431 and R.S. 3:1433

§103. Sampling

The manner of sampling and handling seed in the field and analyzing and testing seed in the laboratory, greenhouse and trial plots shall be the same as that recommended in the latest rules for testing seed adopted by the Association of Official Seed Analysts.

AUTHORITY NOTE: Promulgated in accordance with R.S. 3:1434 and R.S. 3:1433

§105. Tolerances

A. The same tolerances published in the latest rules and regulations for testing seed by the Association of Official Seed Analysts shall be recognized in the administration of the Louisiana Seed Law.

B. Germination Tolerances

The following tolerances which are recognized by the Federal Seed Act are adopted and are applicable to the percentage of germination and also to the sum of the germination plus the hard seed.

Maximum tolerance values between two and four replicates of 100 seeds in a germination test.

Average percent Germination		No. replicates of 100 seeds		Average percent Germination		No. replicates of 100 seeds	
A	B	C	D	A	B	C	D
99	2	5	--	75	26	17	14
98	3	6	--	74	27	17	14
97	4	7	6	73	28	17	14
96	5	8	6	72	29	18	14
95	6	9	7	71	30	18	14
94	7	10	8	70	31	18	14
93	8	10	8	69	32	18	14
92	9	11	9	68	33	18	15
91	10	11	9	67	34	18	15
90	11	12	9	66	35	19	15
89	12	12	10	65	36	19	15
88	13	13	10	64	37	19	15
87	14	13	11	63	38	19	15
86	15	14	11	62	39	19	15
85	16	14	11	61	40	19	15
84	17	14	11	60	41	19	15
83	18	15	12	59	42	19	15
82	19	15	12	58	43	19	15
81	20	15	12	57	44	19	15
80	21	16	13	56	45	19	15
79	22	16	13	55	46	20	15
78	23	16	13	54	47	20	16
77	24	17	13	53	48	20	16
76	25	17	13	52	49	20	16
				51	50	20	16

AUTHORITY NOTE: Promulgated in accordance with R.S. 3:1433

§107. Germination Standards for Vegetable Seed

Germination standards for vegetable seed shall be the same as those published under "United States Department of Agriculture Service and Regulatory Announcements No. 156" and subsequent amendments. Minimum germination of vegetable or garden seed shall be as follows:

	Percent		Percent
Artichoke	60	Eggplant	60
Asparagus (Incl. hard seed)	70	Endive	70
Beans (exc. lima)	75	Fetticus (cornsalad)	70
Beets	65	Kale	75
Broccoli	75	Kohlrabi	75
Brussels sprouts	70	Leek	60
Cabbage	75	Lettuce	80
Cardoon	60	Muskmelon	75
Carrot	55	Mustard	75
Cauliflower	75	Mustard, spinach	75
Celery or celeriac	55	Mustard, vegetable	75
Chicory	65	Okra (including hard seed)	50
Citron	65	Onion	70
Collards	80	Pak-choi	75
Corn	75	Parsley	60
Cress, garden	40	Parsnip	60
Cucumber	80	Peas	80
Dandelion	45	Pepper	55
Pe-tsai or Chinese cabbage	75	Spinach, New Zealand	40
Pumpkin	75	Squash	75
Radish	75	Swiss chard	65
Rhubarb	60	Tomato	65
Rutabaga	75	Tomato, husk	50
Salsify	75	Turnip	80
Sorrel	60	Watermelon	70
Spinach (except New Zealand)	60	Watercress	35

AUTHORITY NOTE: Promulgated in accordance with R.S. 3:1433

§109 List and Limitations of Noxious Weed Seed

Name Limitations

1. Tropical Soda Apple (<i>Solanum viarum</i>).....	Prohibited
2. Field Bindweed (<i>Convolvulus arvensis</i>).....	Prohibited
3. Hedge Bindweed (<i>Convolvulus sepium</i>).....	Prohibited
4. Nutgrass (<i>Cyperus esculentus</i> , <i>C. rotundus</i>).....	Prohibited
5. Itchgrass (<i>Rottboellia exaltata</i> , <i>L. R. cochinchinensis</i>).....	Prohibited
6. Balloon Vine (<i>Cardiospermum halicacabum</i>)	Prohibited
7. Cocklebur (<i>Xanthium</i> spp.)	5 per lb.
8. Spearhead (<i>Rhynchospora</i> spp.)	5 per lb.
9. Purple Moonflower (<i>Ipomoea turbinata</i>)	9 per lb.
10. Red Rice (<i>Oryza sativa</i> var.).....	9 per lb.
11. Wild Onion and/or Wild Garlic (<i>Allium</i> spp.).....	9 per lb.
12. Canada Thistle (<i>Cirsium arvense</i>)	100 per lb.
13. Dodder (<i>Cuscuta</i> spp.)	100 per lb.
14. Johnsongrass (<i>Sorghum halepense</i>).....	100 per lb.
15. Quackgrass (<i>Agropyron repens</i>)	100 per lb.
16. Russian Knapweed (<i>Centaurea repens</i>)	100 per lb.
17. Blueweed, Texas (<i>Helianthus ciliaris</i>).....	200 per lb.
18. Grass, Bermuda (<i>Cynodon dactylon</i>)	300 per lb.
19. Bracted Plantain (<i>Plantago aristata</i>)	300 per lb.
20. Buckhorn Plantain (<i>Plantago lanceolata</i>).....	300 per lb.
21. Cheat (<i>Bromus secalinus</i>).....	300 per lb.
22. Hairy Chess (<i>Bromus commutatus</i>).....	300 per lb.
23. Corncockle (<i>Agrostemma githago</i>)	300 per lb.
24. Darnel (<i>Lolium temulentum</i>).....	300 per lb.
25. Dock (<i>Rumex</i> spp.).....	300 per lb.
26. Horsenettle (<i>Solanum carolinense</i>).....	300 per lb.
27. Purple Nightshade (<i>Solanum elaeagnifolium</i>).....	300 per lb.
28. Sheep Sorrel (<i>Rumex acetosella</i>).....	300 per lb.
29. Morning Glory (<i>Ipomoea</i> spp.).....	18 per lb.
30. Wild Poinsettia (<i>Euphorbia heterophylla</i> , <i>E. dentata</i>)	18 per lb.
31. Wild Mustard and Wild Turnips (<i>Brassica</i> spp.)	300 per lb.
32. Hemp Sesbania, Coffeebean, Tall Indigo (<i>Sesbania exaltata</i>).....	300 per lb.
33. Curly Indigo (<i>Aeschynomene virginica</i>)	300 per lb.
34. Mexican Weed (<i>Caperonia castaneaefolia</i>)	300 per lb.

Sum of total noxious weed
(Subject to limitations above)..... 500 per lb.

Limitations on noxious and prohibited weeds are listed on individual certified crop seed regulations. Noxious weed seed tolerance of one for regulatory action on certified seed being offered for sale in Louisiana for those noxious weed seed which are prohibited by the Louisiana Certified Seed Regulations for the specific seed kind in question.

AUTHORITY NOTE: Promulgated in accordance with R.S. 3:1431 and R.S. 3:1433

§111. Tag Requirements

- A. The analysis tag shall be a Number 6 standard shipping tag, minimum size, and shall carry the information required by the Louisiana Seed Law, arranged as follows:

Kind & Variety _____
Where Grown _____ Net Wt. _____ Lot No. _____
Pure Seed _____ Percent Germination _____ Percent
Inert Matter _____ Percent Hard Seed _____ Percent
Crop Seed _____ Percent Total Germ. & Hard Seed _____ Percent
Weed Seed _____ Percent Date of Test _____
Name & No. Of Noxious Weed Seed per lb. _____

Name _____
Address _____

- B. Tags for certified seed, foundation seed or registered seed shall be adopted by the certifying agency, approved by the commissioner and meet the requirements of the Louisiana Seed Law.
- C. All information required on the seed analysis tag or label shall be placed on one side of the tag or label without intervening matter.

AUTHORITY NOTE: Promulgated in accordance with R.S. 3:1436 and R.S. 3:1433

§113. License Fee; Laboratory Fees

- A. The annual fee for a Seed Dealer's License shall be \$100.00.
- B. The following laboratory fees shall be applicable to all seed testing conducted by this department:
1. Standard germination test only, purity test only or noxious weed examination only: \$8.00 each (except grasses, mixtures and seed containing high inert: \$16.00 each);
 2. Complete test (purities and germinations): \$14.00 each (except grasses, mixtures and seed containing high inert: \$24.00 each);
 3. Accelerated Aging: \$12.00 each;
 4. Texas Cool Test: \$16.00 each;
 5. Tetrazolium: \$20.00 each; and
 6. Examination of 4 pound rice seed sample for presence of red rice: \$10.00.
 7. Varietal Purity: \$12.00
 8. Priority Sample: \$25.00

AUTHORITY NOTE: Promulgated in accordance with R.S. 3:1433

§115. Inspection Fees on Agricultural Seed

In addition to the requirements of the Act, any person who sells, distributes, or offers or handles for sale agricultural seed within this state for planting purposes shall pay an inspection fee thereon in accordance with the following:

- A. All seed dealers shall pay an inspection fee of \$.20 for each 100 pounds of agricultural seed sold, offered for sale, exposed for sale, or otherwise distributed for sale for planting purposes within this state. The inspection fee shall be due on the total pounds of first point of sales distributions in Louisiana by the seller of the seed.

EXCEPTION: The payment of an inspection fee is not required for a person who offers for sale, sells, or distributes Louisiana certified tagged seed upon which inspection fees have already been paid.

- B. Records must be kept by the seed dealer showing the total pounds of each lot identified as to the kind and variety (when applicable). In addition, for auditing purposes, records must be kept by the seed dealer showing the invoice number for each distribution of seed, identified with the name of the kind and variety (when applicable), the lot number, pounds of seed, and number of containers of seed, and the person, to whom the seed was distributed.
- C. Each seed dealer shall file with the department a quarterly report (supplied by the department) covering the following periods: 1st quarter - July, August, and September; 2nd quarter - October, November, December; 3rd quarter - January, February, March; 4th quarter - April, May, June. Reports and fees shall be filed with the department no later than 30 days following the end of each quarter. The department may assess a 10% additional charge for late reports. If a seed dealer has no sales during the quarterly reporting period, the department must be notified accordingly.

AUTHORITY NOTE: Promulgated in accordance with R.S. 3:1433

§117. Standard for Agricultural Seed

- A. No agricultural seed shall be offered for sale if the germination percentage, including hard seed, is below 60 percent, except Dallisgrass. Dallisgrass shall not be offered for sale if the pure live seed percentage (purity times germination) is below 10 percent.
- B. No agricultural and vegetable seed shall be sold, offered for sale or exposed for sale containing in excess of two and one-half percent of total weed seed.

AUTHORITY NOTE: Promulgated in accordance with R.S. 3:1444 and R.S. 3:1433

§119. Invoices and Records

Each person handling agricultural seed subject to this Act shall keep for a period of three years complete records of each lot of agricultural seed handled. When there is evidence of a violation of this Act, invoices, records of purchases and sales, and any other records pertaining to the lot or lots involved shall be accessible for inspection by the commissioner or his authorized agent in connection with the administration of this Act at any time during customary business hours.

AUTHORITY NOTE: Promulgated in accordance with R.S. 3:1435 and R.S. 3:1433

§121. Labeling of Seed

- A. Information required to be shown on the label:
1. A word or statement in type no smaller than eight points indicating that the seed has been treated.
 2. The commonly accepted coined, chemical (generic) or abbreviated chemical name or a description of any process (other than application of a substance) used in such treatment in type no smaller than eight points.
 3. A caution statement if the substance used in such treatment in the amount remaining with the seed is harmful to humans or other vertebrate animals.
 - a. Seed treated with a mercurial or similarly toxic substance, if any amount remains with the seed, shall be labeled to show a statement such as "Poison ", "Poison treated " or " Treated with Poison ". The word " Poison " shall be in type no smaller than eight-points and shall be in red letters on a distinctly contrasting background. In addition, the label shall show a representation of a skull and crossbones at least twice the size of the type used for the name of the substance and the statement indicating that the seed has been treated.
 - b. Seed treated with other harmful substances (other than mercurials or similarly toxic substances). If the amount remaining with the seed is harmful to humans or other vertebrate animals it shall be labeled to show caution statement, in type no smaller than eight points, such as " Do not use for food, feed or oil", except:
 - I. Seed treated with substances other than mercurials or similarly toxic substances and in containers of four ounces or less need not be labeled to show caution statement; and
 - II. The following substances shall not be deemed harmful if present at a rate less than the number of parts per million (ppm) indicated: Allethrin, 2ppm; Malathion, 8ppm; Methoxychlor, 2ppm; Piperonyl butoxide, 8ppm on oat and sorghum and 20ppm on all other seeds; and Pyrethrins, 1ppm on oat and sorghum and 3ppm on all other seeds.
- B. It shall be unlawful for any person to sell or offer for sale within the state any seed labeled " foundation seed", " registered seed", or " certified seed", unless it has been produced and labeled in compliance with the rules and regulations of a seed certifying agency approved by the commissioner.
- C. When more than one component is required to be named on the label, the word " mixture " or the word " mixed " shall be shown conspicuously on the label.

- D. The label on hybrid corn shall show the state where grown.
- E. Abbreviation of names; the name and kind of variety of seed shall not be abbreviated, but shall be written out in full.
- F. Trucks and other carriers transporting seed for delivery or sale, or to be sold or delivered to consumers in this state, on the public highways, or at public auctions shall have available for examination at any time a bill of lading, waybill or delivery receipt showing:
 - 1. The name of the shipper or party from whom purchased;
 - 2. The name and address of the party to whom the seed is to be delivered;
 - 3. The kind and amount of each separate lot of seed; and
 - 4. The name of the truck line or owner and driver of the truck or other carrier making delivery or transporting the seed.
- G. No seed shall be sold or offered for sale from any bag or container bearing a germination label dated more than nine months prior to the time such seed is offered for sale. For all vegetable seed packaged in hermetically sealed containers, this period shall be extended to 24 months. The owner shall be responsible for the relabeling after expiration of the germination test date period. Under the provisions of this regulation, any person, firm or corporation possessing a seedsman's permit shall have the right to label such seed after it has been retested, stating the true germination thereof. A new tag or label shall be used to bring the germination up-to-date. The original tag shall not be changed in any way.